

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HENRY WATKINS,	:	
	:	NO. 02-CV-2881
Plaintiff,	:	
	:	
v.	:	
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION & PAROLE,	:	
EDWARD JONES, and MICHAEL BUKATA	:	
	:	
Defendants.	:	
	:	

DEFENDANTS' PRETRIAL MEMORANDUM

Defendants, Pennsylvania Board of Probation and Parole ("the Board"), Willie E. Jones ("Mr. Jones") (improperly pled as Edward Jones), and Michael Bukata ("Mr. Bukata"), by their attorneys, Miller, Alfano & Raspanti, P.C., respectfully submit this Pretrial Memorandum.

I. **JURISDICTION**

Defendants concede that this Court has federal question jurisdiction over Plaintiff's 42 U.S.C. § 2000e ("Title VII"), 42 U.S.C. § 1981 ("Section 1981"), and 42 U.S.C. § 1983 ("Section 1983") discrimination claims under 28 U.S.C. § 1331. This Court has supplemental jurisdiction over Plaintiff's state law conspiracy claim pursuant to 28 U.S.C. § 1367.

II. NATURE OF THE CASE

Plaintiff Henry Watkins' second amended complaint asserts the following claims:¹

Count	Claim	Defendants
I	Discrimination concerning alleged contractual relationship under 42 U.S.C. § 1981 ("Section 1981") and 42 U.S.C. § 1983 ("Section 1983")	The Board Mr. Jones (official/individual) Mr. Bukata (official/individual)
IV	Conspiracy to discriminate on the basis of race	The Board Mr. Jones (official/individual) Mr. Bukata (official/individual)
V	Hostile Work Environment under 42 U.S.C. § 2000(e) ("Title VII")	The Board Mr. Jones (official) Mr. Bukata (official)
VI	Retaliation under Title VII	The Board Mr. Jones (official) Mr. Bukata (official)

Mr. Watkins alleges that the defendants discriminated against him because of his race, African American, and retaliated against him because of race discrimination claims he made in a 1993 lawsuit.² As evidence of discrimination Mr. Watkins alleges that:

¹ Count II and III of Mr. Watkins' complaint alleged intentional and negligent infliction of emotional distress. Both of these claims were dismissed.

² In 1993, Mr. Watkins and others, who collectively referred to themselves as the Sentinels for Justice, sued the Board and several of its individual employees (not defendants here) in this Court (the "Sentinel Case"). At the time the Sentinel Case was filed, Plaintiff held the position of Parole Agent II. The parties settled the Sentinel case in 1995 pursuant to a

- His performance evaluations were "satisfactory or better" prior to 1995;
- From 1999-2001, when Mr. Bukata was his supervisor, he received unfair performance evaluations;
- The defendants only included negative comments on his performance evaluations;
- Mr. Bukata did not meet with him to discuss his performance evaluations;
- Mr. Bukata did not give one on one supervision to him, but did give one on one supervision to Donna Henry and Stuart Greenberg;
- There was no opportunity to correct any job deficiencies because he only learned of performance deficiencies when he received performance evaluations;
- Mr. Bukata never addressed his performance issues informally;
- Mr. Jones would not meet with Mr. Watkins, but he did meet with white employees;
- When he did meet with Mr. Jones and Mr. Bukata in November of 2000, he was not able to express his concerns;
- When he filed a grievance in December of 2000, Thomas Marshall, the Board's former Labor Relations Coordinator, would not listen to his concerns;
- He was assigned more cases than other supervisors;
- He complained to Mr. Bukata that he was assigned more cases because of his race, African American;
- Mr. Bukata retaliated against him by denying him clerical staff, which forced him to do his own clerical work;
- Donna Henry and Stuart Greenberg were not denied clerical staff;

confidential Settlement Agreement.

- Although Mr. Bukata offered him the use of his (Mr. Bukata's) secretary, the offer was a "sham" because she was too busy, would not assist him and was not located near him;
- A practice and pattern of discrimination is evidenced by "numerous settlements of suits".

Defendants allege that there is no merit to the above allegations and assert that the treatment of Mr. Watkins during his employment was fair and equitable. Moreover, Mr. Watkins suffered no adverse employment action as a result of his race or in retaliation for protected activity.

III. DEFENDANTS' COUNTER-STATEMENT OF FACTS

The Pennsylvania Board of Probation and Parole ("the Board") is an independent agency of the Commonwealth of Pennsylvania. It has the statutory authority to parole and reparole and commit and recommit for violations of parole, offenders sentenced to a maximum of two or more years.

Defendant, Willie Ed Jones is employed by the Board as a District Director, for the Board's Philadelphia district. He has held that position since April of 1997. Mr. Jones never directly supervised Mr. Watkins.

Defendant, Michael Bukata was employed by the Board as a Deputy District Director.³ Mr. Bukata was responsible for reviewing cases to issue warrants, issuing release orders and

³ Mr. Bukata retired from the Board in January of 2004.

subpoenas, and essentially, ensuring that supervisors did their jobs properly. Beginning in July 1999, Mr. Bukata became Mr. Watkins' direct supervisor.

Mr. Watkins began his employment with the Board as a Parole Agent in October 1973. In 1993, Mr. Watkins sued the Board and various Board employees for race discrimination. Mr. Watkins did not sue Mr. Jones or Mr. Bukata in the 1993 Lawsuit and he did not make any allegations about them. In 1995, Mr. Watkins and the Board settled the 1993 Lawsuit without any admission of liability by the Board. The Board promoted Mr. Watkins to the position of Parole Supervisor in 1998 pursuant to the confidential settlement agreement.

The Board has a detailed disciplinary procedure that outlines the process that must be followed before an employee may be disciplined for failure to comply with Board policies or procedures. Under the Board's Procedure, if a supervisor believes that an employee has violated a Work Rule, Board Policy, the Board's Code of Conduct, or a Commonwealth-wide policy, the supervisor is required to contact the Labor Relations Coordinator or the Director of the Personnel Division regarding how to proceed.

The Labor Relations Coordinator or the Director of the Personnel Division then advises whether a Pre-disciplinary Conference ("PDC") should occur. If a PDC is to occur, the employee is notified in writing of the date of the PDC and the

reason(s) for it. By definition, and in practice, a PDC is not a disciplinary action. The PDC is then conducted, giving the employee an opportunity to respond to the alleged work violation with a union representative present.

After a PDC is completed a report is prepared and sent to the office of the Director of Personnel for her review, and review by the Labor Relations Coordinator. After review, the Labor Relations Coordinator makes a recommendation to the Director of the Personnel Office, who then provides her own independent determination of whether there was a violation. She also provides a recommendation of the appropriate level of discipline if there was a violation. Discipline may include a written reprimand, suspension or termination.

_____The Director of the Personnel Division then forwards her recommendation to the Director, Bureau of Human Resources, and the Director, Office of Probation and Parole Services, who either approve or disapprove her recommendation and return it to her. Only after all these steps are accomplished does the Director of the Personnel Division instruct the Labor Relations Coordinator to compose a discipline letter for the Regional Director's signature. Therefore, an immediate supervisor cannot impose discipline.

During the period relevant to this case, Gary Scicchitano (caucasian) served as the Director, Bureau of Human Resources, James Robinson (caucasian) served as the Director, Office of

Probation and Parole Services, Maria Marcinko (caucasian) served as Director of Personnel and Thomas Marshall (African American) served as Labor Relations Coordinator. In addition, the Board maintained an Equal Employment Opportunity office.

Ms. Ladelle Ingram (African American) was in charge of that office during the times relevant to this case. Mr. Watkins knew of this office and Ms. Ingram and he knew that he could submit any discrimination or retaliation concerns directly to Ms. Ingram.

Further, as a supervisor, Mr. Watkins was a member of a union. As a union member, Mr. Watkins could grieve matters regarding his treatment by the Board. Mr. Watkins did grieve two discipline matters but not on the grounds of his race.

After Mr. Bukata became Mr. Watkins' supervisor in July of 1999. Mr. Watkins was "disciplined"⁴ as follows:

DATE	ACTION	SUBJECT MATTER
April 18, 2000	Pre-disciplinary Conference ("PDC") Counseling only, no Discipline	Failure to complete Employee Performance Review for Agent Lloyd Knight and failing to requisition safety equipment for Agent Knight.
May 31, 2000	PDC Written Reprimand	Failed to properly monitor and execute orders concerning <u>Green</u> case.
June 21, 2000	PDC 1 Day Suspension	Failed to timely comply with directives and unsatisfactory performance standards.
October 5, 2000	PDC 3 Day Suspension	Failed to monitor case of <u>James</u> .

⁴ Discipline may include written reprimand, suspension or termination.

DATE	ACTION	SUBJECT MATTER
November 16, 2000	PDC 5 Day Suspension Final warning	Failed to forward completed request for leave and failed to follow orders given regarding processing a leave request.
July 5, 2001	PDC Termination	*Failed to properly monitor case of <u>Pitts</u> ; *Failed to comply with order to see Mr. Bukata and failed to return a list with "max" expiration dates for cases; and *Failed to monitor case to ensure timely hearing and failure to follow instructions.

A PDC was held on April 18, 2000, as a result of Mr. Watkins' failing to timely submit Agent Knight's performance review, and for failure to obtain the proper equipment for Agent Knight. These are serious infractions in that it impacted on Agent Knight's seniority status and rate of pay. Agent Knight's safety was also placed at risk. Despite the seriousness of Mr. Watkins' actions/inactions, no discipline was imposed.

A PDC was held on May 31, 2000, as a result of Mr. Watkins' failure to properly supervise a parolee, Derrick Green. Specifically, the parolee requested a continuation of his violation hearing in March 1999. The case was transferred into Mr. Watkins' unit in September 1999. The criminal charges were dismissed in November 1999. On February 2, 2000, information was requested from Mr. Watkins. He did not respond. The information was again requested on February 29 and March 21, 2000. Mr. Watkins did not

respond. On March 22, 2000, Mr. Watkins was directed to complete a 257D form. On May 9, 2000, information was again requested. Mr. Watkins did not respond. On May 18, 2000, information was again requested. Mr. Watkins did not respond. When given a chance to explain his actions during the PDC, Mr. Watkins stated he "had just not gotten to it." Mr. Watkins received a written reprimand as a result of the above incident.

A PDC was held on June 21, 2000, as a result of Mr. Watkins' failure to timely comply with multiple directives from his supervisor. Mr. Watkins failed to: submit a memorandum memorializing a counseling session with one of his agents; provide a written explanation as to why a parolee report that was so late; provide a written report as to why he failed to respond to requests from an Institutional Supervisor; provide an explanation as to why another parolee report was so late (to which he replied, "no reason"). As a result of the above, Mr. Watkins received a one day suspension.

A PDC was held on October 5, 2000, as a result of Mr. Watkins' failure to properly monitor a parolee. As a result of his inactions, the Board faced possible civil liability to the parolee because his revocation hearing was not timely held. It was also found that Mr. Watkins was not truthful during the PDC, which is a violation of the Board's code of conduct. Mr. Watkins admitted during the PDC that he did not have any controls in place to

properly monitor court activity. As a result of the above, Mr. Watkins received a three day suspension.

A PDC was held on November 16, 2000, as a result of Mr. Watkins' failure to process requests for leave from his agents. The incident encompassed a period of nine months, involved six agents, and 298 hours in chargeable time. Mr. Watkins claimed that he misplaced all fourteen requests, but Mr. Bukata found all fourteen requests on Mr. Watkins' desk, in plain view. As a result of Mr. Watkins inactions, he received a five day suspension.

A final PDC was held on July 5, 2001, wherein three issues were addressed: 1) Mr. Watkins' failure to properly monitor a case, resulting in an untimely hearing(which was the third such incident in a year); 2) Mr. Watkins' failure to follow instruction to see Mr. Bukata about an outstanding traffic citation; and 3) Mr. Watkins' failure to provide a report as directed. As a result of these inactions, Mr. Watkins' employment was terminated.

Contrary to Mr. Watkins' assertions, he did not receive "satisfactory or better" performance evaluations prior to 1995. In fact, his overall rating in 1994 was "needs improvement," and in 1993 he received an "unsatisfactory" rating in five out of seven categories. In both 1993 and 1994, Mr. Watkins' performance review was completed by his supervisor, Joseph Scott, an African American. Moreover, Mr. Watkins was not denied clerical staff. To the contrary, Mr. Bukata made his own secretary available to Mr.

Watkins. Mr. Greenberg (caucasian), also did not have a clerical person assigned to his unit. Therefore, even if Mr. Watkins' claims were true, it is clear that the actions were not racially motivated because caucasian employees experienced the same employment conditions.

Mr. Watkins was repeatedly advised of the deficiencies in his work. Hundreds of e-mails confirm Mr. Watkins' mistakes, both technical and clerical, as well as documenting Mr. Watkins' inability to complete job duties in a timely manner.

Mr. Bukata, as well as Mr. Watkins' prior supervisors, made hundreds of attempts, orally and in writing, formal and informal, to encourage Mr. Watkins to improve his performance. Despite the Board's patience, training, and encouragement, Mr. Watkins' ability to perform his job did not improve. As set forth above, Mr. Watkins' performance was sub-standard, and despite being given every opportunity to improve his work habits, he did not do so. Mr. Watkins was subjected to the progressive discipline used by the Board for all employees. After many warnings and numerous suspensions, the Board had no choice but to terminate Mr. Watkins' employment.

IV. DEFENDANTS' WITNESSES

Defendants respectfully submit this Witness List, and reserve the right to call one, some or all of the individuals named herein.

Defendants also reserve the right to supplement and amend this list.

LIABILITY WITNESSES

1. Willie E. Jones
District Director
PA Board of Probation and Parole
1400 Spring Garden Street
Philadelphia, PA 19103
2. Michael Bukata (retired)
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
3. Thomas Marshall (retired)
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
4. LeDelle Ingram
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
(Retired)
Former Affirmative Action Officer
5. Stuart Greenberg
Pennsylvania Board of Probation & Parole
1101 S. Front Street
Harrisburg, PA 17104
6. Maria Marcinko
Director of Human Resources
1101 S. Front Street
Harrisburg, PA 17104
7. Geraldine Jackson
AFSCME District Council 88
3031 Walton Road
Building C, Suite 300
Plymouth Meeting, PA 19462

8. Ramona Alexander
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
9. Paul Rich
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
10. Kenneth Paul
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
11. Frederick Harris
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
12. Lloyd Knight
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
13. Barbara Kremp
AFSCME District Council 88
3031 Walton Road
Building C, Suite 300
Plymouth Meeting, PA 19462
14. Willie Pullins
Pennsylvania Board of Probation & Parole
1101 South Front Street
Harrisburg, PA 17104
17. Henry Watkins

DAMAGE WITNESSES

1. Henry Watkins
2. Maria Marcinko

V. **EXHIBITS**

EXHIBIT	DATE	DESCRIPTION	BATES
1	3/1/94	1993 Performance Evaluation.	PPB02261-69
2	4/26/95	1994 Performance evaluation.	PPB02252-60
3	2/13/96	Memo from Descano about what training Watkins can get to perform better.	PPB02244-50
4	4/22/97 5/00/97	1996 performance review. 12/21/96-6/18/97 Performance Review.	PPB02240-43 PPB02236-39
5	12/30/98	Performance Review from 12/97 to 12/98.	PPB01199-1202
6	5/26/00	Employee Performance Review 12/98 - 12/99.	PPB01928-33
7	12/18/00	Performance review for Watkins from 12/99 to 12/00.	PPB03710; 2218-21
8	7/9/01	Performance Review 12/00 - 6/01.	PPB00866-83
9	2/9/98 2/22/00	Job Description for Watkins Job Description for Watkins	PPB03563-66 PPB04262-71
10		Intentionally Left Blank	
11	7/02/99	E-mail from Michelle Hair to Watkins	PPB04154-55
12	11/29/99	Response to the 11/29 e-mail of Brenda Fleming to Willie Jones.	PPB03535
13	12/15/99	E-mail from Fleming to Jones.	PPB04065
14	12/02/99	String e-mail. Re: Phase I Exam for Agent Knight beginning on 9/9/99.	PPB03513
15	12/15/99	E-mail between Jones and Watkins.	PPB04142
16		Intentionally Left Blank	
17	4/14/00	E-mails regarding evaluations between Jones and Marcinko and Bukata and Barbara Starnes.	PPB01419-20
18	4/14/00	Memo to Watkins from Bukata re: PDC of 4/18/00	PPB00628
19	4/14/00	E-mail from Marcinko to Robinson.	PPB01693
20	4/14/00	E-mail between Bukata and Watkins dating back to 04/10/00.	PPB03602

EXHIBIT	DATE	DESCRIPTION	BATES
21	4/18/00	Memo to Costa from Bukata re: recommendation from PDC for Watkins.	PPB00204
22	4/18/00	Memo to Jones from Bukata outlining what happened at the 4/18/00 PDC.	PPB00205-06
23	4/19/00	Continuation of string e-mail between Costa and Marcinko regarding Watkins.	PPB01650
24	4/27/00	Memo from Marshall to Marcinko re: review of PDC documentation for Watkins.	PPB01685
25	4/18/00	Disciplinary Action Approval/Disapproval	PPB02429
26	5/12/00	Memo to Watkins from Bukata re: counseling session.	PPB01689
27	2/29/00	E-mail from Bukata to Watkins re: FW: Parker, Derrick 5487-U	PPB01681
28	3/22/00	E-mail to Watkins from Bukata regarding Green.	PPB01673
29	5/18/00	E-mail from Bukata to Watkins re: Green	PPB01671
30	5/23/00	E-mail from Rochelle King to Watkins and Bukata.	PPB01670
31	5/23/00	E-mail between Marshall and Bukata re: PDC.	PPB01657
32	5/24/00	Notice of PDC to Watkins.	PPB01659
33	5/24/00	Memo to Watkins from Bukata re: Rescheduling of PDC.	PPB01658
34	5/26/00	String e-mail where Watkins requested transfer of Derrick Green.	PPB01668
35	6/1/00	Memo to Marcinko from Bukata re: 5/31/00 PDC.	PPB00597-98
36	6/1/00	Memo to Maria Marcinko from Bukata.	PPB01656
37	6/1/00	Memo from Jones to Marcinko re: Watkins Discipline.	PPB02590
38	6/5/00	Memo from Marshall to Marcinko re: Review of PDC Documentation.	PPB01644
39	6/13/00	Memo from Marshall to Marcinko.	PPB01643
40	6/21/00	Letter to Watkins from Costa giving him a written reprimand as a result of a PDC on 5/31/00.	PPB01641-42
41	7/10/00	Facsimile to Thom Marshall from M. Bukata. Comments: Notice of 6/21/00	PPB02448

EXHIBIT	DATE	DESCRIPTION	BATES
		PDC	
42	7/10/00	Memo to Marcinko from Marshall re: Review of PDC Documentation	PPB02449
43	6/15/00	Memo to Watkins from Bukata re: PDC Notice.	PPB03634
44	6/22/00	Memo to Willie E. Jones from Bukata re: Recommendations from PDC of 6/21/00	PPB02075
45	6/22/00	Memo to Marcinko from Bukata re: Findings from PDC of 6/21/00	PPB02076-77
46	6/22/00	Memo to Costa from Jones re: Recommendation for Discipline.	PPB02073-74
47	6/7/00	String e-mail from Costa to Marshall re: PDC Documentation	PPB00203
48	7/31/00	Disciplinary Action Approval/Disapproval	PPB02446
49	8/8/00	Letter to Watkins from Costa.	PPB02340-41
50	8/11/00	E-mail from Fickel to Jones and Bukata re Sanford.	PPB01105
51	9/1/00	Memo dated 9/1/00 from Watkins to Costa re: Victor Sanford NJ Probationer.	PPB03664
52	9/25/00	String e-mail between Jones, Bukata and Robinson relating to William James.	PPB00550
53	9/25/00 or 9/26/00	E-mail between Bukata and Watkins re: W. James 495AF/Untimely Revocation Hearing?	PPB03671
54	10/2/00	Facsimile cover sheet from Bukata to Marcenko.	PPB01601
55	10/2/00	Memo to Watkins from Bukata re: PDC Notice.	PPB03672
56	10/30/00	Disciplinary Action Approval/Disapproval of Watkins.	PPB02578
57	10/6/00	Memo to Marcinko from Bukata re: PDC Recommendation.	PPB00186
58	10/6/00	Memo to Marcinko from Bukata re: Findings from 10/5/00 PDC (Watkins)	PPB02587-88
59	10/11/00	Memo to Costa from Jones re: Disciplinary Action Watkins.	PPB00185
60	10/11/00	Memo to Costa from Jones re: PDC	PPB00187
61	10/11/00	E-mail between Bukata and Watkins	PPB01074

EXHIBIT	DATE	DESCRIPTION	BATES
62	10/16/00	Memo to Marcinko from Marshall re: PDC Documentation	PPB02451
63	10/18/00	E-mail from Marcinko to Bukata re: PDC.	PPB02589
64	10/18/00	Memo to Marcinko from Bukata re: Questions/Answers from 10/5/00 PDC	PPB02579-80
65	10/24/00	E-mail between Marcino and Scicchitano.	PPB00183-84
66	10/27/00	Memo to Marcinko from Marshall.	PPB02581
67	10/31/00	Letter to Watkins from Costa.	PPB02342-43
68	Undated	Handwritten notes	PPB01602-05
69	11/7/00	E-mail between Marshall and Bukata re: Leave slips not submitted.	PPB00480
70	11/7/00	Marcinko's reply to PPB00480 e-mail	PPB00481
71	11/7/00	String e-mail between Marshall and Bukata re: leave slips.	PPB00482
72	11/8/00	String e-mail between Marshall and Bukata re: leave slips.	PPB00484
73	11/9/00	Memo to Watkins from Bukata regarding PDC Notice.	PPB00499
74	11/9/00	String e-mail between Bukata and Watkins. Subject: FW: Pardon Board for R Douglass Parole # 0904-s.	PPB01889
75	11/16/00	Memo to Marcinko from Bukata.	PPB00495-98
76	11/17/00	Memo to Marcinko from Bukata re: PDC recommendation for Watkins.	PPB01527-28
77	11/21/00	Memo to Costa from Jones re: Recommendation for Discipline (Watkins)	PPB00200
78	11/21/00	Memo to Costa from Jones re: PDC for Watkins.	PPB01499-1500
79	12/12/00	Letter to Watkins from Costa re: PDC	PPB01253-56
80	12/12/00	Letter to Watkins from Marcinko re: PDC	PPB01257-58
81	6/20/01	String e-mail from Raffetto to Bukata re: Terrance Pitts	PPB00371
82	6/21/01	Docket Sheet	PPB02023

EXHIBIT	DATE	DESCRIPTION	BATES
83	6/21/01	String e-mails between Raffetto, Watkins and Bukata re: Terrance Pitts.	PPB02022
84	6/22/01	Memo David Dettinburn, Michael Bukata and Henry Watkins.	PPB02030
85	6/29/01	E-mail from James Raffetto to Henry Watkins re: Terrance Pitts.	PPB02021
86	6/29/01	Memo to Watkins from Bukata re: PDC notice.	PPB01489
87	7/3/01	Memo to Watkins from Bukata re: PDC.	PPB01488
88	7/3/01	Memo to Bukata from Watkins re: Terrance Pitts.	PPB02033
89	7/5/01	Disciplinary Action Approval/Disapproval re: termination.	PPB02525
90	7/6/01	Memo to Marcinko from Bukata re: Recommendation for Discipline (Watkins)	PPB01484-85
91	7/6/01	Memo to Marcinko from Bukata re: PDC findings.	PPB02645-49
92	7/9/01	Memo to Robinson from Jones Re: Recommendation for Discipline	PPB02048
93	7/17/01	Memo from Marshall to Marcinko Re: Review of Proposed Disciplinary Action	PPB02526-27
94	12/12/00	Letter to Watkins from Marcinko re: PDC. Postal receipt directed to Watkins.	PPB01247-48; PPB01252
95	6/26/01	Handwritten notes of Bukata in preparation for PDC.	PPB01443-47
96	8/6/99	String of e-mails between Bukata and his supervisors	PPB03507-08
97	11/1/99	Investigation Request/Report	PPB00841-42
98	11/01/99	Investigation Request/Report signed by Watkins for Agent Camma.	PPB00843
99	12/27/99	Investigation Request/Report signed by Watkins for Agent Bentzley.	PPB00840
100	1/4/00	Investigation Request/Report signed by Watkins.	PPB00783
101	2/24/00	Investigation Request/Report signed by Watkins for Bentzley.	PPB01778
102	4/11/00	Investigation Request/Report signed by Watkins for Agent Bentzley.	PPB01770

EXHIBIT	DATE	DESCRIPTION	BATES
103	4/11/00	Investigation/Request Report signed by Watkins for Agent Mondrosch.	PPB03596-97
104	3/5/01	Investigation Request/Report signed by Watkins for Agent Knight	PPB03805
105	1/11/00	Report regarding a parolee, Murphy.	PPB00957-60
106	1/11/00	Summary of Investigation for Board of Pardons Re: Craig Murphy	PPB01793-96
107	2/02/00	Report regarding proofreading.	PPB01792
108	4/12/00	Memo to Interstate Division from Watkins, Subject: William Jubilee Parole #51941.	PPB00749
109	2/27/01	String e-mail between Bukata and Watkins re: W. JUBILEE 5194 I.	PPB00748
110	2/27/00	E-mail between Watkins and Bukata. Re: W. Jubilee 5194 I Arrest Report & Hearing.	PPB03780
111	3/11/00	Memo from Watkins to Bukata responding to questions as to why report was not submitted.	PPB03580
112	3/10/00	Handwritten memo to Watkins from Bukata.	PPB03578
113	5/04/00	String e-mail regarding an investigation on Thompson.	PPB03604-06
114	6/8/00	String e-mail between Bukata and Watkins re: Thompson.	PPB01616-18
115	4/17/01	String e-mail between Watkins, Knight, Hazelett and Bukata re: T. Good.	PPB03833
116	4/23/01	String e-mail between Watkins, Knight and Hazelett.	PPB03825
117	4/29/01	String e-mail between Watkins and Bukata re: Overdue Pardon Board Reports	PPB03801
118	8/9/00	E-mail to Watkins from Bukata re: late Pardon Board Investigations.	PPB01753
119	8/30/00	String e-mail between Bukata and Watkins re: Douglas Pardon Board.	PPB01904-06
120	10/23/00	String e-mail going back to 6/27/00 between Jones, Eiceman, Bukata, Starnes, Watkins.	PPB01758
121	10/23/00	String e-mail going back to 6/27/00 re: Douglas.	PPB03641

EXHIBIT	DATE	DESCRIPTION	BATES
122	12/14/00	E-mail between Bukata and Watkins re: PB Robert Douglas 0904 S.	PPB03736
123	7/17/00	String e-mail between Watkins, Bukata and Audrey Reiber.	PPB01093
124	8/11/00	E-mail from Fickel to Jones and Bukata re: Arkansas case.	PPB01083
125	8/14/00	Memo to Watkins from Parole Agent II Francis Mondrosch re Arkansas Pre-Parole Plan.	PPB01085
126	8/15/00	String e-mail between Bukata and Fickel re: Jacob Oliver 1280-N	PPB01082
127	9/15/00	E-mail from Bukata to Watkins with cc: to Sterling re: Missing information on facesheet.	PPB01926
128	3/08/00	E-mail from Bukata to Watkins re: 15 cases with blank grades of supervision.	PPB02008
129	6/28/00	String e-mail relating to Blank Grades to Watkins.	PPB01832
130	7/10/01	E-mail from Bukata to Watkins re: FW: blank supervision grades.	PPB03846
131	9/6/00	Memo from Robinson to Jones and by Hartwiger.	PPB03885
132	7/12/01	String e-mail between Kauffman (Bureau of Probation Services), Bukata and Watkins re: Coleman.	PPB03884-86
133	3/27/01	Memo to Watkins from Jones re: case staffing.	PPB03815-16
134	4/10/01	Memo to Jones from Bukata re: answers to questions regarding Davis.	PPB00702-03
135	4/10/01	Memo to Robinson from Jones re: reasons Watkins should be terminated as a Unit Supervisor.	PPB00707-08
136	8/05/99	E-mail between Watkins and Bukata	PPB03506
137	12/29/99	String e-mail between Bukata and Watkins beginning on 12/13/99 regarding Gooden Levin.	PPB01893
138	2/29/00	E-mail to Watkins from Fedeanis regarding Parker.	PPB03574
139	6/22/00	E-mail from Bukata to Watkins re: Rorie.	PPB01812
140	6/30/00	Memo to Bukata from Costa.	PPB00973

EXHIBIT	DATE	DESCRIPTION	BATES
141	10/6/00	E-mail between Watkins and Bukata re: Cases to be Transferred.	PPB01961
142	10/13/00	E-mail from Bukata to Watkins re: Johnson.	PPB01067
143	10/16/00	E-mail between Bukata and Watkins re: Garrison.	PPB01962
144	11/21/00	E-mail between Bukata and Duda re: Rodney Logan 0630 X.	PPB03706
145	11/22/00	String e-mail between Bukata and Ellis, Greenberg, Henry, Watkins, Joachim and Starling.	PPB04466
146	12/6/00	E-mail between Poole and West Philadelphia SO.	PPB03701
147	12/7/00	E-mail between Bukata and Watkins. Re: M. Morris.	PPB03719
148	12/7/00	E-mail between Bukata and Watkins. Re: W. Mitchell.	PPB03721
149	12/12/00	String e-mail between Bukata, Sterling, Ellis, Greenberg, Henry, Watkins, Joachim, Starling, re Absconder Project.	PPB03740
150	12/28/00	E-mail to Watkins from Bukata, stating that Watkins never submitted form.	PPB03747
151	12/28/00	E-mail from Bukata to Watkins. Subject: FW: Absconder Project.	PPB03741
152	1/10/01	E-mail between Folk, Watkins, Fickel and Bukata.	PPB03751
153	2/8/01	E-mail from Bukata to Watkins re: FW: JNET Notification: Darren Brown PA #1866-O.	PPB03778
154	2/8/01	E-mail from Bukata to Watkins re: C. Johnson.	PPB03779
155	3/19/01	E-mail relating to a parolee 853AA saying that Watkins had not done a report to Texas since 6/98.	PPB03803
156	3/21/01	Overtime Report for Watkins.	PPB03806
157	4/4/01	String e-mail between Bukata and Watkins re: Cabell, Frank D. Jr. 7130-W.	PPB03749
158	4/13/01	E-mail from Bukata to Bentzley.	PPB00729
159	5/1/01	Memo to Watkins from Sandra Kitner (Automotive Officer).	PPB03838

EXHIBIT	DATE	DESCRIPTION	BATES
160	5/2/01	E-mail between Bukata and Watkins re: A. Frederick.	PPB03839
161	5/23/01	String e-mail between Bukata and Watkins re: FW: Fartal 7658K.	PPB03807-09
162	5/24/01	E-mail between Watkins and Reiber re: Marcus, James.	PPB00693
163	5/29/01	E-mail from Bukata to Watkins re: FW: Home Plans & Other Investigations.	PPB03847-48
164	5/30/01	E-mail between Bukata and Watkins re: instructions on work.	PPB03854
165	6/4/01	String e-mail between Bukata and Watkins re: Major Smith investigation.	PPB03859
166	6/27/01	E-mail between Bukata and Watkins re: FW: 631 AK.	PPB00676
167	7/12/01	String e-mail between Bukata, Watkins and Malseed re: Whitney.	PPB03883
168	7/20/01	String e-mail between Kauffman, Bukata and Watkins re: Calvin Robinson.	PPB03878
169	11/17/00	String email between Blaska, Bukata and Watkins re: 81 Reports.	PPB01919
170	12/13/00	E-mail between Bukata and Watkins re: 81 Report.	PPB03724
171	1/16/01	E-mail from Blaska to several employees including Watkins re: 81 Reports not received.	PPB03753
172	4/25/01	String e-mail between Bukata and Dawn Blaska re: 81 Report.	PPB03836
173	8/10/99	String e-mail between Bukata and Watkins beginning on 7/7/99.	PPB03484
174	8/10/99	E-mail from Bukata to Watkins regarding the random urinalysis.	PPB03485
175	8/10/99	String e-mail from Bukata to Watkins.	PPB03486
176	8/26/99	E-mail to Watkins from Michelle Hair on behalf of Paul Strizzi	PPB04152
177	9/09/99	E-mail to Watkins from Michelle Hair on behalf of Paul Strizzi.	PPB04151
178	9/29/99	E-mail from Hair to Watkins. Re: Phase II Exam - Freddie Harris.	PPB04146
179	11/02/99	E-mail to Watkins from Bukata.	PPB03530

EXHIBIT	DATE	DESCRIPTION	BATES
180	11/04/99	E-mail to Watkins from Fleming on behalf of Strizzi.	PPB04144
181	11/4/99	E-mail from Hair to Watkins.	PPB04145
182	12/22/99	String e-mail. Re: Exams for OJT Packages beginning on 11/29/99.	PPB03545-46
183		Intentionally Left Blank	
184	11/9/00	String e-mail between Bukata and Watkins re: Overdue Pardon Boards.	PPB01875
185		Intentionally Left Blank	
186	4/24/01	E-mail between Bukata and Watkins re: A. Fredrick PB 6943	PPB00731
187	6/5/01	String e-mail between Jones and Bukata re: Overdue investigations report/NW Division.	PPB00652
188	6/12/01	String e-mail between Costa, Jones, Pandolfo, Solla, Nealy, Newton and Watkins re: Home Plans & other investigations.	PPB03860
189	2/16/01	E-mail between Bukata and Watkins re: Fredrick PB 69431.	PPB03788
190	2/21/01	E-mail from Reiber to Watkins.	PPB00760
191	2/21/01	E-mail between Folk and Watkins.	PPB03793
192	3/4/01	Delinquency Request Form signed by Watkins.	PPB00734
193	4/3/01	Delinquency Request Form.	PPB00735
194	9/08/99	String e-mail between Roy Parker, Michael Bukata and Henry Watkins that began on July 30, 1999.	PPB03490
195	9/08/99	String e-mail between Bukata, Watkins and Roy Scott	PPB03512
196	9/16/99	String e-mail ending with Bukata sending e-mail to Jones.	PPB03514-15
197	11/16/99	String e-mail between Jen Pijar and Watkins.	PPB03531
198	11/22/99	String e-mail between Watkins and Bukata.	PPB03479
199	12/16/99	E-mail from Jones to Supervisors.	PPB01805
200	12/16/99	E-mail from Reiber to Watkins.	PPB03534

EXHIBIT	DATE	DESCRIPTION	BATES
201	12/20/99	String e-mail beginning 10/16	PPB03547
202	12/22/99	E-mail to Watkins from Fickel regarding Victor Sanford.	PPB00837
203	10/21/99	String e-mail relating to files that were late being opened by Watkins' unit.	PPB02594-95
204	12/29/99	String e-mail between Jones and Watkins regarding 12/28 e-mail from Colleen Fickel.	PPB03533
205	1/06/00	String e-mail between Bukata, Watkins, Jones and Costa that began on 12/22/99.	PPB02012-13
206	1/07/00	E-mail between Bukata and Watkins referencing a 10/12/99 e-mail.	PPB03528
207	1/14/00	E-mail between Bukata, Watkins and Jones and Descher.	PPB03557
208	1/19/00	E-mail from Bukata to Watkins regarding Davis.	PPB01785
209	1/31/00	E-mail between Jones and Bukata dating back to 1/6/00.	PPB01888
210	2/28/00	String e-mail between Bukata, Watkins, Jones and Goodwin re: Watkins and home plans.	PPB03567-68
211	2/29/00	E-mail to Watkins from Fedeanis re: Parker.	PPB03570
212	3/02/00	String e-mail between Bukata and Watkins and Duda beginning on 2/9/00.	PPB01779
213	3/24/00	String e-mail where Watkins is asked for information that should have been on the original report.	PPB03755
214	5/10/00	E-mail from Murphy to Watkins.	PPB00594
215	5/12/00	String e-mail from Slavinsky to Watkins re An EM Alert for Williams.	PPB03593-94
216	5/17/00	Memo to Watkins from Costa Re: PBPP-62A Delinquency Requests Forms.	PPB01830
217	5/26/00	String e-mail between Bukata, Watkins and others relating to Sanford.	PPB01628-29
218	6/12/00	String e-mail regarding Banks.	PPB01637-38
219	6/27/00	String e-mail beginning on 4/26 where information was requested on a Murphy.	PPB01790
220	7/7/00	E-mail from Bukata to Watkins re: Late Response.	PPB01826

EXHIBIT	DATE	DESCRIPTION	BATES
221	8/31/00	Handwritten note stating "No response has been received."	PPB01057
222	9/19/00	String e-mail between Bukata, Watkins and Ellis re: Camma's EPR.	PPB01950
223	10/5/00	String e-mail between Watkins, Bukata and Kemper re: Hemphill.	PPB01076
224	10/17/00	String e-mail between Bukata and Watkins re" Lyons.	PPB03673
225	10/18/00	Special Field Report with handwritten note which states "3 months late".	PPB02028
226	10/19/00	String e-mail between Watkins and Grow.	PPB01966-67
227	11/20/00	Memo to Watkins from Sedesse.	PPB03644
228	11/20/00	String e-mail between Duda, Watkins and Bukata.	PPB03688
229	12/13/00	Special Field Report	PPB00789
230	12/13/00	Watkins' UCV (81) Report	PPB00790
231	12/13/00	E-mail between Bukata and Watkins re: Bookard.	PPB03731
232	12/28/00	String e-mail between Watkins and Johnson re: Clayton Jones, PN2205 O.	PPB03689
233	12/14/00	Memo from Bukata to NW #4 Agents.	PPB03732
234	12/27/00	E-mail between Watkins and Walker.	PPB03745
235	1/29/01	E-mail from Bukata to Watkins re: late reply.	PPB03914
236	2/9/01	String e-mail between Bukata and Watkins re: PB Extensions.	PPB03765-66
237	2/12/01	E-mail from Reiber to Watkins re: Averette, Stephoun Frederick - AZ (Parole) Transfer Request: PA #252AX	PPB00763
238	2/16/01	E-mail between Watkins and Bukata where Watkin states he will speak to Agent Harris.	PPB03786
239	2/22/01	E-mail between Bukata and Watkins re: Clean Hit.	PPB03795
240	4/3/01	E-mail between Bukata and Watkins re: FW: Digital Photos.	PPB03804
241	4/9/01	String e-mail between Malseed, Watkins and Bukata re: WHITNEY, CAROL (New York - Probation).	PPB03799-800

EXHIBIT	DATE	DESCRIPTION	BATES
242	4/9/01	E-mail to Watkins from Bukata re: report corrections.	PPB03826
243	4/12/01	String e-mail between Bukata, Jones and Watkins re: Gilliam.	PPB03831
244	4/19/01	String e-mail between Bukata and Watkins re: mistake on 6853 Q report.	PPB00697
245	4/19/01	String e-mail between Watkins and Bukata re: mistake on Roundtree report.	PPB03835
246	4/20/01	Watkins' UCV (81) Report and "due 4-13.	PPB00725
247	4/23/01	String e-mail between Bukata and Watkins re: Pre-Parole Plans.	PPB03733-35
248	5/8/01	E-mail between Bukata and Watkins re: FW: Extension Request PB-8067-W.C. Bunk.	PPB03840
249	5/18/01	E-mail between Watkins and Bukata re: opening investigation.	PPB03827
250	5/29/01	E-mail between Bukata and Watkins. Subject: FW: NW Redistricting.	PPB03841
251	5/31/01	E-mail between Bukata and Watkins re: FW: Home Plans & other investigations.	PPB03855-56
252	6/28/01	String e-mail between Bukata and Watkins re: Shaw.	PPB03771-72
253	6/26/01	Letter from Watkins to the City Parking Violations Branch.	PPB00415
254	7/3/01	Memo to Bukata from Watkins re: list correction.	PPB00416
255	7/10/01	E-mail from Bukata to Watkins re: FW: Coleman, # 7502 U.	PPB03880
256	7/10/01	String e-mail between Fickel, Butaka, Hepler and Watkins re: Shaw.	PPB3773-74
257	7/11/01	String e-mail between Malseed, Central Office, Bukata and Watkins re: Whitney.	PPB03857
258	7/12/01	Email from Bukata to Watkins re: Equipment Inventory.	PPB03882
259	8/8/01	Annual Evaluation Due/Overdue List.	PPB00802-03
260	8/1/01	String e-mail between Bukata and Watkins re: Shaw, Robert.	PPB03775-77
261	6/9/00	Henry Watkins nominated by Bukata for two courses.	PPB00908

EXHIBIT	DATE	DESCRIPTION	BATES
262	6/9/00	Henry Watkins nominated for two courses.	PPB00909
263	2/1/01	Course Nomination (Leadership Development Academy) for Henry Watkins.	PPB03761
264	3/3/00	Handwritten note titled: "Instructions to Watkins"	PPB00936
265	4/17/00	Handwritten notes relating to the Investigation Request/Report of William Clark.	PPB03598
266	6/15/00	Handwritten notes from Bukata.	PPB00579-582
267	7/17/00	E-mail to Watkins from Audry.	PPB01091
268	11/16/00	Handwritten notes documenting failures.	PPB00928-935
269	12/22/00	Handwritten memo to Watkins from Bukata re: EPR	PPB03742-43
270	3/21/01	Handwritten notes to Watkins.	PPB00738
271	4/17/01	Handwritten note from Bukata re: fourth attempt to get a proper report submitted.	PPB00715
272	5/23/01	Handwritten note signed by Bukata.	PPB03849
273	5/22/01	Progress and Conduct Report	PPB03850
274	6/4/01	Handwritten notes re: HW.	PPB00662
275	6/13/01	Handwritten notes from Bukata.	PPB00669
276	7/2/01	Handwritten memo to Watkins from Bukata re: A. Davis.	PPB03872
277	6/21/02	Handwritten note re: computer down.	PPB00409
278	7/12/01	Handwritten notes of Bukata regarding C. Whitney.	PPB00644-45
279	7/13/01	Handwritten notes to Bukata re: conversation with Agent Knight.	PPB00646-47
280	7/30/01	Handwritten note summarizing Watkins' employment history.	PPB01149-50
281	1/10/00	Memo from Watkins to Bukata requesting a clerk typist.	PPB04258
282	1/31/00	String e-mail between Bukata and Jones dating back to 1/10/00 when Watkins requested a clerk typist.	PPB04257

EXHIBIT	DATE	DESCRIPTION	BATES
283	2/23/00	String e-mail between Bukata, Watkins, Jones and Jackson beginning on 1/6/00 re Late Submittals - Agent Activity Sheets.	PPB01822
284	3/10/00	String e-mail between Weinstein, Bukata and Watkins regarding Robert Atkins. Weinstein wrote to Bukata.	PPB01549
285	5/12/00	Memo from Marshall to Bukata, Jones, and Marcinko re: PDC - Watkins	PPB02331
286	3/21/01	Memo to Watkins from Sandra Kitner (Automotive Officer).	PPB02104
287	6/28/01	E-mail between Marcinko and Robinson re: Henry Watkins.	PPB00148
288	7/17/01	E-mail between Marcinko and Marshall.	PPB02551
289	1/10/00	Memo from Watkins to Bukata re: Gooden:	PPB1895
290	1/11/00	String e-mail between Bukata and Watkins beginning on 1/4/00.	PPB03554
291	1/13/00	E-mail from Bukata to Hartwiger re: Gooden.	PPB03556
292	7/7/00	Memo to Costa from Watkins.	PPB01825
293	7/7/00	Memo to Costa from Watkins re: delinquency recommendation on 3304-H.	PPB03614
294	10/17/00	Memo to NW-4 Staff from Watkins.	PPB01745
295	10/17/00	Memo to Butaka, [sic] from Watkins. Subject: Theft of State Vehicle 001-02-0184 License #DFJ 9568.	PPB03681
296	2/12/01	Memo to Clyde Harris from Watkins.	PPB03782
297	3/22/00	Memo from Watkins to Bukata re: Transfer of Agent Drayton.	PPB03591-92
298	3/24/00	Bukata's response to Watkins' memo re: Transfer of Agent Drayton.	PPB03588-90
299	1/19/00	E-mail between Watkins and Bukata. Re: Mr. Ellis' Unit.	PPB03560
300	1/20/00	E-mail from Bukata to Watkins, Subject: Agent DiMarco.	PPB3561
301	9/15/00	String e-mail between Bukata, Watkins and Eiceman.	PPB03666-67
302	4/12/00	String e-mail between Watkins, Bukata and Kalp re: Maurice Gilliam.	PPB03830

EXHIBIT	DATE	DESCRIPTION	BATES
303	5/11/01	String e-mail between Bukata, Watkins, Greenberg, Henry, Joachim and Starling re: Pre-Parole Plans	PPB03744
304	6/26/01	E-mail from Bukata to Ellis, Henry, Watkins, Joachim, and Starling re: FW: Cases Beyond Max.	PPB02032
305	6/27/01	E-mail between Bukata and Watkins re: FW: 631 AK.	PPB03834
306	07/19/99	String e-mail between Watkins, Freeman, Kable, Bukata.	PPB02147
307	7/19/99	E-mail to Freeman from Kable.	PB00225
308	7/19/99	E-mail from Grant Freeman to Cindy Kable	PPB00226
309	7/20/99	E-mail to Bukata from Kable	PPB03492
310	8/3/99	E-mail to Bukata from Watkins re: Missing Badge and Identification Card.	PPB00862-64
311	8/05/99	Memo to Robinson from Jones	PPB02141-42
312	8/09/99	Memorandum to Bukata from Watkins.	PPB03509-10
313	8/11/99	Memo from Bukata to Jones regarding Badge for Supervisor Watkins.	PPB00856-57
314	8/31/99	E-mail from Jones to Jim Robinson regarding Badge for Supervisor Watkins.	PPB00217
315	9/01/99	E-mail from Costa to Jones in response to Jones' 8/31 e-mail to Robinson.	PPB02135
316	10/27/99	E-mail from Freeman to Watkins.	PPB03518
317	10/08/99	Memo to Watkins from Marcinko re: Lloyd Knight.	PPB01690-91
318	1/21/00	Memo from Marcinko to Jones re: Overdue Employee Performance.	PPB1421
319	5/10/00	E-mail from Bukata to Watkins re: performance review on 5-11-00.	PPB01927
320	5/11/00	Handwritten note re: H.W. discussion w/reviewer.	PPB01054
321	9/21/00	Memo to Bukata from Jones re: Parolees Without Photo.	PPB01951
322		Intentionally Left Blank	
323	4/3/01	Listing of Open Investigations for Watkins.	PPB00678-79
324	6/5/01	Memo to Jones from Bukata re: Skill Bank	PPB01427

EXHIBIT	DATE	DESCRIPTION	BATES
		Trainer Application Submitted by Supervisor Henry Watkins.	
325	3/08/00	String e-mail between Bukata, Watkins and Duda, Mumma and Goodspeed.	PPB03572
326	3/09/00	E-mail to Jones from Zeigler regarding Garner's Leave Without Pay for 1999.	PPB01900
327	3/16/00	Memo from Bukata to Watkins.	PPB01775-76
328	3/16/00	E-mail from Bukata to Starling and Watkins.	PPB01938
329	9/6/00	String e-mail between Shalon, Bukata and Watkins re: D. Whethers.	PPB01959
330	9/6/00	E-mail from Bukata to Harold Shalon re: D. Whethers 6725 X.	PPB01960
331	09/12/00	Handwritten note to Watkins from Bukata along with a delinquency request form.	PPB01060-61
332	11/13/00	E-mail between Watkins, Bukata, Jones and Kable.	PPB01820
333	11/14/00	E-mail between Bukata and Watkins re: S. Fattah & D. Jackson.	PPB01114
334	11/17/00	String e-mail between Bukata and Watkins, Subject: FW: Maurice Coleman 7502U.	PPB03699
335	12/15/00	E-mail between Bukata and Watkins re: J. Rivers 4926 I.	PPB03738
336	12/18/00	String e-mail between Shultz, Solla, Bukata and Watkins re: Attoy Davis #8418U.	PPB03739
337	12/27/00	Handwritten note from Bukata in reference to a field report.	PPB03746
338	1/19/01	String e-mail between Bukata and Watkins re: Robert Douglas, 0904-S.	PPB03757
339	3/9/01	String e-mail between Watkins and Bukata re: Unbalanced workload.	PPB03790-91
340	4/2/01	E-mail between Watkins and Bukata re: parolee that was not followed up on.	PPB00001-02
341	4/3/01	E-mail between Bukata and Jones re: Attoy Davis Parole #8418U.	PPB00700
342	4/10/01	String e-mail between Bukata and Watkins re: Foxwell.	PPB03829
343	4/17/01	E-mail from Bukata to Bentzley re:	PPB00721

EXHIBIT	DATE	DESCRIPTION	BATES
		alternate home plans.	
344	4/17/01	Investigation Request/Report re: Clyde Harris.	PPB03474
345	5/22/01	Handwritten note attached to 4/27/01 e-mail between Bukata and Watkins.	PPB03837
346	5/29/01	Summary of Investigation by Watkins.	PPB00737
347	6/1/01	E-mail from Watkins to Bukata re: M. Smith investigation.	PPB03858
348	7/11/01	E-mail between Malseed and Watkins re: 3rd Request, BUNCH, ROBERT.	PPB00655
349	7/17/01	Caseloads Summary Report.	PPB00660
350	7/17/01	String e-mail between Bukata, Watkins and Marshall re: Counseling Session for Agent Knight.	PPB02063-64
351	7/17/01	String e-mail between Bukata and Watkins re: Counseling Session for Agent Knight.	PPB03889-88
352	7/18/01	String e-mail between Malseed, Watkins and Bukata re: Bunch, Robert.	PPB03881
353	7/18/01	E-mail between Bukata and Watkins re: W. Mitchell.	PPB03890
354	8/2/99	Grievance Form re: Watkins	PPB02274-75
355	8/5/99	Handwritten Standard Transmittal re: Watkins	PPB00210
356	9/24/99	String e-mail between Marcinko, Costa and Scicchitano.	PPB00209
357	1/05/00	Memo to Tom Costa from James M. Robinson.	PPB03901
358	12/17/99	Investigation Request/Report signed by Watkins for Agent Bentzley.	PPB00845
359	10/__/99	Monthly Automotive Activity Report	PPB03523
360	9/02/99	Notice of Charges and Hearing. Agent Smith, Supervisor Watkins.	PPB00559-562
361	1/20/00	PBPP Board of Pardons Investigative Report Crime Victims Checklist (Raymond Gambrel, Victim)	PPB01797-98
362	3/21/00	String e-mail between Watkins, Fedeanis and Bukata beginning on 2/29/00 re: Derrick Parker.	PPB00612-13
363	2/25/00	Delinquency Request Form re: Coleman.	PPB01831

EXHIBIT	DATE	DESCRIPTION	BATES
364	5/31/00	String e-mail re: list of offenders that do not have SID number assignments.	PPB04312
365	6/22/00	String e-mail from Magaro, Judy to Watkins.	PPB03628
366	4/27/00	E-mail from Willie Jones to Henry Watkins re: FW: Murphy, Craig 9866-R, Pardon Board Review	PPB01791
367	8/17/00	Delinquency Request Form re: Anthony Webb.	PPB01061
368	12/__/00	_____ Order Log	PPB00787
369	12/14/00	Order to Release from Temporary Detention for Lamont Bookard.	PPB00788
370	4/19/01	E-mail from Joachim to Bukata re: mistake on report.	PPB04373
371	8/15/00	String e-mail between Bukata, Costa and Watkins.	PPB02003
372	7/18/00	Memo to Jones from Bukata re: Outstanding Investigations.	PPB01823
373	9/26/00	Memo to Jones from Bukata re: Stephen Lewis.	PPB00319-20
374	Undated	Henry Watkins' statement.	PPB02460
375	10/21/99	String e-mail between Costa, Thomas, Jones and Watkins re: FW: Parole #0526-W.	PPB01651-52
376	7/16/01	Progress and conduct report completed by Agent Knight.	PPB00658-59
377	3/14/00	Acceptance for State Supervision re: Maurice Coleman.	PPB03886
378	Undated	Log of Discipline	PAPB03223-34 PAPB03431-32
379	Undated	Secretary's Log	PPB03929-50
380	07/14/99	E-mail between Stout and Greenberg.	PPB00347
381	07/19/99	E-mail to Greenberg from Bukata re: the parole violation/revocation hearings e-mail.	PPB03489

EXHIBIT	DATE	DESCRIPTION	BATES
382	08/04/99	Handwritten note. (Signature illegible).	PPB00346
383	8/25/99	E-mail to Greenberg from Bukata which began on 8/24/99.	PPB00328
384	9/22/99	String e-mail between Greenberg and Bukata.	PPB00327
385	9/23/99	Memo to Jones from Costa regarding Traffic Violations for Agent Charles Spriggs.	PPB00340-42
386	10/06/99	Memo to Bukata from Watkins. Re: A memo from Agent Smith.	PPB03519-22
387	11/01/99	E-mail to Greenberg regarding Spriggs overtime.	PPB00337-38
388	11/12/99	E-mail between Bukata and Greenberg regarding cell phone usage by Agent Spriggs.	PPB03532
389	11/12/99	String e-mail between Bukata and Greenberg regarding results of hearing.	PPB00325-26
390	11/15/99	String e-mail between Bukata and Greenberg re: data clean up of 9/9/99.	PPB03516-17
391	11/15/99	Handwritten note regarding Greenberg.	PPB00367
392	11/16/99	E-mail between Robinson and Greenberg regarding a panel hearing.	PPB00143
393	11/23/99	E-mail between Greenberg and Bukata.	PPB00324
394	12/29/99	E-mail between Collins, Bukata and Greenberg regarding a parolee.	PPB00336
395	12/30/99	E-mail to Greenberg from Bukata regarding a parolee.	PPB00322
396	3/8/00	Notice of Charges and Hearing signed by Greenberg with a note	PPB00283

EXHIBIT	DATE	DESCRIPTION	BATES
		which states, "approved the poor wording."	
397	3/10/00	String e-mail between Bukata, Starling and Fickel regarding Nordine Ross.	PPB00281-82
398	3/21/00	E-mail between Greenberg and Bukata regarding Derrick Green.	PPB00614
399	3/24/00	E-mail between Bukata and Greenberg. Greenberg requested availability to attend a boot camp graduation.	PPB00303
400	3/30/00	Memo to John Founds from Stuart Greenberg Re: Counseling Session.	PPB00133-42
401	4/12/00	E-mail from Jones to Bukata and from Kipp to Jones regarding Greenberg.	PPB02189
402	4/12/00	Memo to Greenberg from Bukata re: PDC.	PPB01381-84
403	4/14/00	E-mail to Robinson from Jones.	PPB00316
404	4/18/00	Memo to Costa from Bukata re: recommendation from PDC of 4/17/00 regarding Greenberg.	PPB02184-85
405	4/18/00	Memo to Costa from Bukata re: Recommendation from PDC of 4/17/00 regarding Greenberg	PPB00123-28
406	4/19/00	Memo to Greenberg from LeDelle A. Ingram regarding an alleged sexual harassment complaint.	PPB01365
407	4/27/00	Memo from Tom Marshall to Maria Marcinko regarding PDC of Greenberg.	PPB01380
408	5/15/00	Handwritten note (Communication 3)	PPB00311
409	5/10/00	E-mail from William Murphy to Henry Watkins re: David Banks 994AN	PPB00594

EXHIBIT	DATE	DESCRIPTION	BATES
410	5/18/00	Memo to Costa from Greenberg Re: Late Submission of Delinquency Requests.	PPB00292-93
411	5/22/00	Memo to Costa from Greenberg re: Late 62A on Rasheed Banks, 551AC	PPB00296-97
412	5/22/00	E-mail between Greenberg and Bukata and Kemper.	PPB03621
413	5/22/00	E-mail between Bukata and Greenberg.	PPB00309
414	5/23/00	Memo to Bukata from Greenberg Re: Late Return of Certification Request.	PPB00286
415	5/23/00	Letter to Greenberg from Costa Re: 4/17/00 Predisciplinary Conference.	PPB00121-22
416	6/1/00	Handwritten note.	PPB00285
417	5/26/00	Memo to Greenberg from Jones re: Employee Performance Review.	PPB00250-54
418	6/2/00	E-mail between Bukata and Greenberg denying Greenberg overtime.	PPB00300-02
419	6/9/00	Course Nomination Form re: Stuart	PPB00263-64
420	6/28/00	E-mail to Greenberg from Bukata re: ACT 97	PPB03643
421	7/31/00	E-mail from Bukata to Greenberg re: Unit reports.	PPB00310
422	9/15/00	String e-mail between Bukata, Greenberg, and Jones re: CCC Director's Allegations/Complaint Against PBPP (Phila) Supervisor.	PPB01343-44
423	10/4/00	E-mail to Greenberg from Bukata with handwritten note.	PPB00315
424	10/6/00	E-mail to Greenberg from Bukata re: 13760 G. Kennedy.	PPB00312

EXHIBIT	DATE	DESCRIPTION	BATES
425	10/11/00	E-mail between Greenberg and Bukata regarding Preparing Overtime Report.	PPB03669
426	10/12/00	E-mail from Greenberg to Bukata re: E DRIVE-Public Information.	PPB0273-74
427	10/16/00	E-mail between Greenberg and Bukata re: FW: Update Employment Codes. Handwritten note at top: "1,2,6,7."	PPB03679
428	11/20/00	E-mail from Bukata to Eiceman and Greenberg re: Darryl Williams 6528T.	PPB03705
429	12/29/00	E-mail between bukata and Greenberg re: FW: James L. Lewis 4708X.	PPB00269-71
430	1/23/01	Performance evaluation for Stuart Greenberg from January 00 to January 01.	PPB03964-71
431	2/14/01	E-mail between Bukata and Greenberg dating back to 2/2/01 where Greenberg was chastised for not completing paperwork properly.	PPB04341-42
432	3/13/01	E-mail between Bukata and Greenberg re: Uncompleted task.	PPB04340
433	4/3/01	E-mail from Bukata to Greenberg, regarding digital photos.	PPB04338-39
434	4/9/01	E-mail from Bukata to Greenberg, Ellis Donna Henry, Watkins, Joachim and Starling re: Northwest Division	PPB04374
435	4/30/01	E-mail between Bukata and Greenberg. Re: Instant Urinalysis.	PPB04335
436	9/19/01	Memo to Audrey Starling from LeDelle Ingram re: Alleged Offensive Behavior by Stuart Greenberg, Parole Supervisor.	PPB01352-53

EXHIBIT	DATE	DESCRIPTION	BATES
437	9/20/01	String e-mail between Brouse, Dadigan and Greenberg re: Shakeeta Bartley 993AO.	PPB04351-52
438	10/4/01	E-mail from Bukata to Greenberg re: Transfer	PPB4334
439	10/4/01	E-mail from Bukata to Joanne Adams re: Dwayne Jones, Parole No. 0491-U	PPB00821
440	10/19/01	List titled "Blank Grades"	PPB04357-58
441	Undated	Pre-Parole Investigation Request/ Report re: Anthony Brown #669-AK	PPB04323
442	10/15/01	Notice of Charges and Hearings re: Stacey Thompson	PPB04364
443	10/18/01	Investigation Request Report dated 10/7/01 by Greenberg with handwritten note from Bukata.	PPB04356
444	10/19/01	String e-mail between Bukata and Greenberg re: A. Townsville 9814T.	PPB04372
445	10/19/01	Supervision History on a parolee with handwritten note which states, "STILL DOES NOT READ WHAT HE SIGNS."	PPB04366
446	10/19/01	E-mail from Bukata to Greenberg re: William Fisher, NY Parolee 148AP	PPB00825
447	10/22/01	Memo from Watkins to Brenda Nealy re: Lost of Badge and Identification Card	PPB03899
448	10/22/01	Duplicate of PPB03899	PPB2150
449	10/22/01	String email been Greenberg and Bukata re: W. Maxwell 7168U.	PPB04370-71
450	10/25/01	Handwritten note to Bukata.	PPB04362
451	11/16/01	Handwritten note to Greenberg from Bukata.	PPB04361

EXHIBIT	DATE	DESCRIPTION	BATES
452	11/26/01	E-mail from Greenberg to Bukata. Re: Rodney Dyer Parole No. 064AK.	PPB04369
453	11/29/01	E-mail between Greenberg and Bukata. Re: Supervisor Stuart Greenberg.	PPB04355
454	12/13/01	E-mail between Bukata and Greenberg. Subject: FW: 5719J Faison.	PPB04348
455	12/14/01	E-mail between Bukata and Greenberg. Subject: Condition #7.	PPB04367
456	12/19/01	E-mail between Bukata and Greenberg. Re: Overdue Everything.	PPB04344-45
457	1/2/02	E-mail between Bukata and Greenberg. Subject: FW: Willie Maxwell 7168U PP 510000.	PPB04353-54
458	1/11/02	String e-mail between Bukata and Greenberg re: FW: Moy 784ad	PPB04346-47
459	6/1/99	Counseling Session from Bukata to Robert Joachim, Supervisor.	PPB04397-98
460	9/02/99	Notice of Charges and Hearing regarding Agent Doriety, Supervisor Robert Joachim.	PPB04392
461	9/02/99	E-mail from Bukata to Joachim.	PPB04391
462	11/14/00	Handwritten note by bukata.	PPB04378
463	5/15/00	E-mail from Fickel to Joachim, Bukata, Jones, Folk re: Interstate Pretransfers	PPB04386
464	6/2/00	E-mail to Joachim reprimanding him for a poorly written report relating to Murray.	PPB04384-85
465	7/14/00	String e-mail beginning on 7/12/00 Re: Pardon Board - Thompson.	PPB04383

EXHIBIT	DATE	DESCRIPTION	BATES
466	7/21/00	E-mail from Bukata to Joachim.	PPB04387
467	2/7/01	Memo to Watkins from Sandra Kitner (Automotive Officer).	PPB00797-800
468		Intentionally Left Blank	
469	11/24/99	Memo to John Smith from Bukata notifying him of a predisciplinary conference.	PPB04159
470	12/02/99	Memo to Jones from Bukata re: Agent John Smith Pre-Disciplinary Conference.	PPB04161
471	12/02/99	This is a memo from Watkins to Bukata wherein the question and answer session for the pre-disciplinary conference of Agent Smith was recorded.	PPB04162-66
472	12/03/99	Memo to Costa from Jones regarding PDC of John Smith.	PPB04160
473	1/13/00	Memo from Watkins to Bukata re: the PDC for John Smith.	PPB04172-76
474	1/14/00	Memo to Jones from Bukata re: Second PDC for John Smith.	PPB04170-71
475	1/28/00	Letter to John Smith signed by Mike Neumyer, Director, Office of Management Services regarding his discipline.	PPB04177-78
476	2/10/00	Investigation Request/Report signed by Greenberg for Agent Spriggs.	PPB00288-290

NUMBER OF DAYS FOR TRIAL

It is anticipated that the trial of this matter will last for seven (7) days.

COMMENTS REGARDING LEGAL ISSUES

MOTIONS IN LIMINE:

Defendants intend to file Motions in Limine to exclude the following:

- Evidence of the verdict in the Russ-Tobias case against the Board
- Evidence, including testimony and documents that relate, regard or refer to the individual claims, lawsuits and/or settlement(s) of the following individuals:
 - ▶ Victoria Roadcloud
 - ▶ Martha Holman
 - ▶ James Burton
 - ▶ Henry Williams
 - ▶ Ernest Holmes
 - ▶ Ronald Zappan
 - ▶ Howru Self
 - ▶ Darryl Rankin
 - ▶ Calvin Ogletree, Deceased (deposition testimony)
 - ▶ Rosalind Russ-Tobias
 - ▶ Joseph Scott
 - ▶ Chantolees Mirman
 - ▶ Bonietta Ferguson
- Evidence of the Commonwealth of Pennsylvania's report published in 1993 regarding discrimination at the Board
- Evidence of the report published in April 2003 by the Pennsylvania Department of the Auditor General.
- Evidence of the "Sentinel Settlement"

** In the event that any of the above evidence is permitted to be presented to the jury, the defendants will seek to introduce into evident the United States Court of Appeals for the Third Circuit's opinion in the matter of Zappan v. Pa. Bd. of Probation and Parole, found at 152 Fed.Appx. 211 (3d Cir. 2005). In Zappan,

this Court and the Third Circuit granted the Board and Mr. Jones' summary judgment motion and dismissed Mr. Zappan's race based claims.

The Defendants will not pursue their breach of contract counterclaim at trial but reserve their right to appeal the Court's Order denying their Motion for Summary Judgment on that claim.

Respectfully submitted,

MILLER, ALFANO & RASPANTI, P.C.

By: s/Lisa R. Marone
GINO J. BENEDETTI, ESQUIRE
LISA R. MARONE, ESQUIRE
Attorney I.D. Nos. 59584; 200305
1818 Market Street, Suite 3402
Philadelphia, PA 19103
(215) 972-6400
Attorney for Defendants,
Pennsylvania Board of Probation and
Parole, Willie E. Jones, and Michael
Bukata

Dated: 8-22-06

